
State: District of Columbia **First Filing Company:** American Select Insurance Company, ...
TOI/Sub-TOI: 17.0 Other Liability-Occ/Claims Made/17.0010 Employment Practices Liability
Product Name: CL EPL
Project Name/Number: Employment Practices Liability/200323DCEPLWIRAR

Filing at a Glance

Companies: American Select Insurance Company
Westfield Insurance Company
Westfield National Insurance Company

Product Name: CL EPL

State: District of Columbia

TOI: 17.0 Other Liability-Occ/Claims Made

Sub-TOI: 17.0010 Employment Practices Liability

Filing Type: Rate/Rule

Date Submitted: 12/11/2019

SERFF Tr Num: WSFG-132182594

SERFF Status: Submitted to State

State Tr Num:

State Status:

Co Tr Num: 200323DCEPLWIRAR

Effective Date 03/23/2020

Requested (New):

Effective Date 03/23/2020

Requested (Renewal):

Author(s): Randi Gannett

Reviewer(s):

Disposition Date:

Disposition Status:

Effective Date (New):

Effective Date (Renewal):

State: District of Columbia **First Filing Company:** American Select Insurance Company, ...
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General Information

Project Name: Employment Practices Liability Status of Filing in Domicile: Pending
Project Number: 200323DCEPLWIRAR Domicile Status Comments:
Reference Organization: Reference Number:
Reference Title: Advisory Org. Circular:
Filing Status Changed: 12/11/2019
State Status Changed: Deemer Date:
Created By: Randi Gannett Submitted By: Randi Gannett
Corresponding Filing Tracking Number: WSFG-132182590

Filing Description:

We are filing our proprietary program, Employment Practices Liability. Please see Filing Memorandum for further details.

We trust this filing will meet with your approval and look forward to receiving your Department's favorable acknowledgment.

Company and Contact

Filing Contact Information

Randi Gannett, Product Compliance Analyst
RandiGannett@westfieldgrp.com
One Park Circle
Westfield Center, OH 44251
330-887-8671 [Phone]

Filing Company Information

American Select Insurance Company	CoCode: 19992	State of Domicile: Ohio
One Park Circle	Group Code: 228	Company Type: P & C
P.O. Box 5001	Group Name:	State ID Number:
Westfield Center, OH 44251-5001	FEIN Number: 31-6016426	
(800) 243-0210 ext. [Phone]		

Westfield Insurance Company	CoCode: 24112	State of Domicile: Ohio
One Park Circle	Group Code: 228	Company Type: P & C
P.O. Box 5001	Group Name:	State ID Number:
Westfield Center, OH 44251-5001	FEIN Number: 34-6516838	
(800) 243-0210 ext. [Phone]		

Westfield National Insurance Company	CoCode: 24120	State of Domicile: Ohio
One Park Circle	Group Code: 228	Company Type: P & C
P.O. Box 5001	Group Name:	State ID Number:
Westfield Center, OH 44251-5001	FEIN Number: 34-1022544	
(800) 243-0210 ext. [Phone]		

Filing Fees

State: District of Columbia **First Filing Company:** American Select Insurance Company, ...
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Fee Required? No

Retaliatory? No

Fee Explanation:

SERFF Tracking #:	WSFG-132182594	State Tracking #:		Company Tracking #:	200323DCEPLWIRAR
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Rate Information

Rate data does NOT apply to filing.

SERFF Tracking #:

WSFG-132182594

State Tracking #:

Company Tracking #:

200323DCEPLWIRAR

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Rate/Rule Schedule

Item No.	Schedule Item Status	Exhibit Name	Rule # or Page #	Rate Action	Previous State Filing Number	Attachments
1		RULE 1. DESCRIPTION OF COVERAGE	Rule 1	New		MU01 Rule 1 EPL 2019-07.pdf
2		RULE 2. ELIGIBILITY	Rule 2	New		MU01 Rule 2 EPL 2019-07.pdf
3		RULE 3. COVERAGE LIMITS	Rule 3	New		MU01 Rule 3 EPL 2019-07.pdf
4		RULE 4. DEDUCTIBLE	Rule 4	New		MU01 Rule 4 EPL 2019-07.pdf
5		RULE 5. SUPPLEMENTAL EXTENDED REPORTING PERIOD	Rule 5	New		MU01 Rule 5 EPL 2019-07.pdf
6		RULE 6. MINIMUM PREMIUMS	Rule 6	New		MU01 Rule 6 EPL 2019-07.pdf
7		RULE 7. MIDTERM ADDITIONS/INCREASES	Rule 7	New		MU01 Rule 7 EPL 2019-07.pdf
8		RULE 8. PREMIUM DETERMINATION	Rule 8	New		MU01 Rule 8 EPL 2019-07.pdf

COMMERCIAL LINES MANUAL EMPLOYMENT PRACTICES LIABILITY

RULE 1. DESCRIPTION OF COVERAGE

Description of Coverage

This claims-made coverage provides coverage for Employment Practices Liability Insurance (EPL) caused by a "wrongful act." See the EPL Coverage Form **EP 70 01** for the definition of "wrongful act".

We have two EPL programs:

1. Portfolio Program

Our Portfolio program is designed to cover small business insureds. Premium will be calculated by multiplying the premium per employee by the number of full time employees.

2. Non-Portfolio Program

The Non-Portfolio program is for those risks that do not qualify for the Portfolio program due to employee size or risks seeking limits/deductibles other than those offered under the Portfolio program.

COMMERCIAL LINES MANUAL EMPLOYMENT PRACTICES LIABILITY

RULE 2. ELIGIBILITY

Eligibility

1. Portfolio Program:

- a. Portfolio coverage is only available for insureds with 100 full-time equivalent employees or less; or
- b. See table below for qualifying limits and deductibles.
- c. Defense Costs are included within the limit of liability.

2. Non-Portfolio Program:

- a. Non-Portfolio coverage is available for insureds with greater than 100 full time equivalent employees up to 500; or
- b. Annual Aggregate Limits of Liability of \$100,000, \$250,000, \$500,000, \$1,000,000, and \$2,000,000; or
- c. Deductible of \$50,000 for the \$500,000 and \$1,000,000 limit options.
- d. Defense Costs are included within the limit of liability.

COMMERCIAL LINES MANUAL EMPLOYMENT PRACTICES LIABILITY

RULE 3. COVERAGE LIMITS

Coverage Limits

1. **Portfolio Program:**

- a. See table in Premium Determination.
- b. Defense Costs are included within the limit of liability.

2. **Non-Portfolio Program:**

- a. \$100,000, \$250,000, \$500,000, \$1,000,000 and \$2,000,000.
- b. Defense Costs are included within the limit of liability.

RULE 4. DEDUCTIBLE

Deductible

1. **Portfolio Program**: See table in Premium Determination.
2. **Non-Portfolio Program**: Deductible options of \$2,500, \$5,000, \$10,000, \$25,000 (for all limit options) and \$50,000 for the \$500,000 and \$1,000,000 limit options.

**COMMERCIAL LINES MANUAL
EMPLOYMENT PRACTICES
LIABILITY**

RULE 5. SUPPLEMENTAL EXTENDED REPORTING PERIOD

Supplemental Extended Reporting Period

In the event of cancellation or nonrenewal, the Named Insured has the right, upon payment of an additional premium of 100% of the full annual premium applicable to this coverage, to buy the Extended Reporting Period endorsement, which provides an extended reporting period of one (1) year following the effective date of cancellation or nonrenewal, to report claims which occurred on or after the original inception date and on or before the date of cancellation or nonrenewal.

COMMERCIAL LINES MANUAL EMPLOYMENT PRACTICES LIABILITY

RULE 6. MINIMUM PREMIUMS

In the event the individual policy premium calculation results in a per policy premium less than those shown below (for the applicable Limit of Liability) then the Minimum Premiums shown below shall apply.

Limit of Liability	Minimum Premium Per Policy
\$25,000	\$74
\$50,000	\$74
\$75,000	\$110
\$100,000	\$147
\$250,000	\$221

COMMERCIAL LINES MANUAL EMPLOYMENT PRACTICES LIABILITY

RULE 7. MIDTERM ADDITIONS/INCREASES

Midterm Additions/Increases

No midterm additions of coverage with terms of less than 6 months. Midterm requests to add EPL coverage, increase the portfolio EPL Limit of Liability or include additional insureds are subject to completion of a warranty statement of no known claims or incidents.

COMMERCIAL LINES MANUAL EMPLOYMENT PRACTICES LIABILITY

RULE 8. PREMIUM DETERMINATION

Premium Determination

1. Portfolio Program

- a. Multiply the Premium per Full-Time Employee (**FTE**) rate shown below by the number of full-time equivalent employees. Employees other than full-time employees should be counted as one half an employee.

Limit of Liability	Per Claim Deductible	Premium per FTE
\$25,000	\$2,500	\$26.21
\$25,000	\$5,000	\$22.79
\$50,000	\$2,500	\$36.87
\$50,000	\$5,000	\$32.06
\$75,000	\$2,500	\$44.14
\$75,000	\$5,000	\$38.39
\$100,000	\$2,500	\$48.03
\$100,000	\$5,000	\$41.76
\$100,000	\$10,000	\$27.65
\$250,000	\$2,500	\$77.63
\$250,000	\$5,000	\$67.50
\$250,000	\$10,000	\$51.91
\$250,000	\$25,000	\$45.15

- b. The rates above develop annual gross premiums for the chosen limit and deductible option. Premiums may be pro-rated for short or odd term policies.
- c. This premium is not subject to further modification by the application of any other factors, including but not limited to, company deviations, IRPM factors, or expense modifications.
- d. Third Party coverage is included at no additional premium.

2. Non-Portfolio Program

- a. Premium will be calculated on an individual risk basis.
- b. Third Party coverage is included at no additional premium.

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Supporting Document Schedules

Bypassed - Item:	Consulting Authorization
Bypass Reason:	NA, we are not a third party filer.
Attachment(s):	
Item Status:	
Status Date:	

Bypassed - Item:	Actuarial Certification (P&C)
Bypass Reason:	NA
Attachment(s):	
Item Status:	
Status Date:	

Bypassed - Item:	District of Columbia and Countrywide Experience for the Last 5 Years (P&C)
Bypass Reason:	NA
Attachment(s):	
Item Status:	
Status Date:	

Bypassed - Item:	District of Columbia and Countrywide Loss Ratio Analysis (P&C)
Bypass Reason:	NA
Attachment(s):	
Item Status:	
Status Date:	

Satisfied - Item:	Filing Memorandum
Comments:	
Attachment(s):	DC EPL Filing Memorandum.pdf
Item Status:	
Status Date:	

**Westfield Insurance Company
Westfield National Insurance Company
American Select Insurance Company**

**Employment Practices Liability Filing Memorandum
Effective 03-23-2020**

Westfield Insurance Company, Westfield National Insurance Company and American Select Insurance Company would like to offer enhancements to our current Employment Practices Liability Program. Our current program was filed under General Liability and Businessowners modifying those coverage parts. As part of this endeavor, we present this filing as “new” for the Employment Practices Liability line of business. These three companies are subscribers to ISO, however, we are filing our proprietary Employment Practices Liability Program.

Rates/Rules:

The following enhancements are being added to our Employment Practices Liability Insurance coverage offering:

- Introduction of new limit/deductible options
- Included Third Party Coverage
- Enhanced "Portfolio" and referral "Non-Portfolio" program

New Limit/Deductible Options

We have expanded the available limits/deductibles for this coverage:

<u>Limit</u>	<u>Deductible</u>
\$25,000	\$2,500
\$50,000	\$2,500
\$75,000	\$2,500
\$100,000	\$2,500
\$250,000	\$2,500

Third Party Coverage

Added Third Party Coverage for no additional premium.

Enhanced Portfolio & Referral Program

We have expanded the employee limit for both programs.

Summary

We believe this program expansion will improve our competitive position for this coverage and enhance the profitability of our program.

Attached are our new rate/rule pages.